

S/N 10/643,018

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KLAERS ET AL.	Examiner:	G. DELCOTTO
Serial No.:	10/643,018	Group Art Unit:	1751
Filed:	AUGUST 18, 2003	Docket No.:	163.1236USC1
Title:	SOLID POT AND PAN DETERGENT		

**COMBINED TERMINAL DISCLAIMER AND
CERTIFICATE UNDER 37 C.F.R. §3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, Ecolab Inc., a corporation organized and existing under the laws of the State of Delaware and having its primary place of business at Ecolab Center, St. Paul, Minnesota 55102, in the county of Ramsey, and the state of Minnesota represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/643,018, filed on August 18, 2003 entitled "Solid Pot and Pan Detergent" by virtue of an assignment recorded at Reel 009864, Frame 0281-0284.

Petitioner, Ecolab Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,387,870 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,387,870, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,387,870, in the event that U.S. Patent No. 6,387,870 expires for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), have all claims cancelled by a reexamination certification, or are otherwise terminated prior to the expiration of their full statutory terms as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

CERTIFICATE UNDER 37 C.F.R. §3.73(b)

Ecolab Inc., a corporation organized and existing under the laws of the State of Delaware, having a place of business at Ecolab Center, St. Paul, Minnesota 55102, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office on March 29, 1999, at Reel 009864, Frame 0281-0284.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 10/10/05

AS
Name: Andrew D. Sorensen, Esq.
Title: Chief Patent Counsel